

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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IZARIAH JUMP, and  
ESTATE OF JONAH MARCINIAK,  
by Special Administrator, Brenda Mroch

Plaintiffs,

and

DEAN HEALTH PLAN, INC.,

Involuntary Plaintiff,

Magistrate Judge Nancy Joseph

v.

Case No.: 19-CV-1151

VILLAGE OF SHOREWOOD,  
THOMAS LIEBENTHAL,  
CODY J. SMITH, and  
NICHOLAS TARABOI,

Defendants.

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**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

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Plaintiffs Izariah Jump, and Estate of Jonah Marciniak, respectfully move the Court, pursuant to Fed. R. Civ. P. 56, for partial summary judgment in their favor as to Count II (False Arrest) on the ground that there is no genuine issue as to any material fact in regard thereto, and that Plaintiffs are entitled to judgment as a matter of law. This motion is based upon the supporting brief and materials attached hereto.

Dated: February 1, 2021

Respectfully submitted,

/s/ Ben H. Elson  
One of Plaintiffs' Attorneys

Ben H. Elson, Janine L. Hoft, Jan Susler  
PEOPLE'S LAW OFFICE  
1180 N. Milwaukee Ave.  
Chicago, IL 60642  
(773) 235-0070

Jerome A. Konkel  
SAMSTER, KONKEL & SAFRAN  
A division of Groth Law Firm, S.C.  
11063 W. Bluemound Road  
Wauwatosa, WI 53226  
(414) 224-0200